

COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed Senate Bill 332 because it conflicts with HEA 1288-2005 without properly recognizing the existence of HEA 1288-2005, has had Engrossed Senate Bill 332 under consideration and begs leave to report back to the House with the recommendation that Engrossed Senate Bill 332 be corrected as follows:

1 Page 1, line 1, after "IC 4-6-2-1.5" insert ", AS AMENDED
2 BY HEA 1288-2005, SECTION 56,".

3 Page 1, line 9, delete "IC 20-6.1-1-8)" and insert "IC 20-18-
4 2-22)".

5 Page 1, line 13, delete "IC 20-8.1-5-2(e), IC 20-8.1-5.1-7,"
6 and insert "IC 20-33-8-12,".

7 Page 1, line 15, delete "IC 20-5-1-3)" and insert "**IC 20-26-**
8 **2-4)**".

9 Page 2, line 1, delete "IC 20-10.1-4-0.5 or IC 20-10.1-4-3.5,"
10 and insert "**IC 20-30-5-0.5 or IC 20-30-5-4.5,**".

11 Page 2, line 7, delete "his the person's" and insert "the
12 person's".

13 Page 2, line 7, after "counsel of" delete "his the" and insert
14 "the person's".

15 Page 2, line 8, before "own" delete "person's".

16 Page 2, line 8, delete "his the person's" and insert "the
17 person's".

18 Page 3, between lines 4 and 5, begin a new paragraph and
19 insert:

20 "SECTION 5. IC 20-30-5-0.5 IS ADDED TO THE
21 INDIANA CODE AS A NEW SECTION TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 0.5. (a) The**
23 **United States flag shall be displayed in each classroom of**

every school in a school corporation.

(b) The governing body of each school corporation shall provide a daily opportunity for students of the school corporation to voluntarily recite the Pledge of Allegiance in each classroom or on school grounds. A student is exempt from participation in the Pledge of Allegiance and may not be required to participate in the Pledge of Allegiance if:

(1) the student chooses to not participate; or

(2) the student's parent chooses to have the student not participate."

SECTION 6. IC 20-30-5-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4.5. (a) In order that:

(1) the right of each student to the free exercise of religion is guaranteed within the schools; and

(2) the freedom of each student is subject to the least possible coercion from the state either to engage in or to refrain from religious observance on school grounds;

the governing body of each school corporation shall establish the daily observance of a moment of silence in each classroom or on school grounds.

(b) During the moment of silence required by subsection (a), the teacher responsible for a classroom shall ensure that all students remain seated or standing and silent and make no distracting display so that each student may, in the exercise of the student's individual choice, meditate, pray, or engage in any other silent activity that does not interfere with, distract, or impede another student in the exercise of the student's individual choice.

SECTION 7. IC 20-30-6-10, AS ADDED BY HEA 1288-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. A school corporation may permit a voluntary religious observance if the school corporation follows sections 11 through ~~13~~ 12 of this chapter

1 and any additional procedures that the school corporation
2 adopts to ensure that the observance is voluntary."

3 Page 3, delete lines 5 through 6, begin a new paragraph and
4 insert:

5 "SECTION 8. THE FOLLOWING ARE REPEALED
6 [EFFECTIVE JULY 1, 2005]: IC 20-10.1-7-11; IC 20-30-6-
7 13."

8 Renumber all SECTIONS consecutively.
(Reference is to ESB 332 as printed March 18, 2005.)

Representative Whetstone, Chairperson

Representative Pelath, R.M.M.

Representative Ruppel, Author